

PATENT
09/899,454

Summary of Telephone Interview with Examiner on 08/17/04.

Applicants thank Examiners for the telephone interview extended to their attorney, J. B. Kraft on September 15, 2004. As Applicants explained in that interview, they believe that the present claimed invention is not obvious under 35 USC 103(a) over the combination of Ryan in view of the Pitkow Patent Publication because there is no teaching or suggestion in the combination of references of any concept related to a receiving display station on the World Wide Web having bookmarked Web documents and indicators associated with the bookmarked documents showing current transmission rates of each bookmarked document.

In that interview, the Examiners and Attorney discussed modifications to the independent claims, e.g., claim 1 which would make the claims more concise, particularly with respect to the key to the invention as set forth above. The claims have been amended to include such discussed modifications. Applicants' argument with respect to the patentability of the amended claims will be presented hereinafter.

Applicants Argument

The rejection of claims 1-6, 8-18, 20-30 and 32-36 under 35 USC 103(a) as unpatentable over Ryan et al. (US6,421,675) in view of the Pitkow Publication (US2002/0016786) is respectfully traversed. Ryan does not suggest the present invention or even a system or process which suggests that it would be modifiable to practice the present invention. Ryan does not even suggest the problem which the present invention solves.

AUS920010344US1

11

PATENT
09/899,454

Bookmarking stores at a receiving display station direct links to the bookmarked documents and pages for future access so that the user may avoid cumbersome locating and addressing of the Web documents. While bookmarks have been a significant means of time saving on the Web, there remain many causes of user delay and frustration on the Web. A major source of such delay remains the fluctuations in demand, i.e. rates of "hits" or requests for Web pages/documents from Web sources or sites. Busy Web sites may be the cause of costly delays in retrieving Web documents. Many Web sites do track their activity rates, i.e. rates of hits per unit of time at the various times of the day or week. Thus, such activity rates could be obtained from a particular Web site, before requesting a Web document from such site. However, it would not be very practical for a user to request such information before requesting a particular Web page. From a busy Web site, activity rate information would likely be as slow to access as the Web page itself.

The present invention solves this problem by providing at a receiving i.e. Web document requesting station, in association with a displayed list of bookmarks for Web documents, displayed data on the rates of transmission of each listed bookmarked Web document. In this way, the user at the receiving station may judge before requesting a listed bookmarked Web document whether a high transmission rate will mean a delay in accessing a particular bookmarked Web document.

The Ryan patent does not suggest this solution. The Ryan patent does recognize that hit rates i.e. transmission activity rates are tracked for the sources or sites from which Web documents are sent. Ryan teaches the use of such transmission rates for a variety of search engine

AUS920010344US1

12

PATENT
09/899,454

algorithms. However, there is no suggestion in Ryan that the transmission rates of bookmarked Web documents be displayed at the receiving station which has bookmarked such Web documents. In fact, Applicants fail to even find a mention of bookmarking Web documents for any purpose in the basic Ryan reference. The Examiner has referenced Column 4 in Ryan but all that section appears to be dealing with search algorithm which manipulates input data and produces a displayed search result.

The Examiner cites column 7, lines 15-30 as teaching the display of Web document source transmission activity or hit rates in connection bookmarked Web documents at a document receiving stations. Actual this section describes an algorithm which does deal with Web source or site transmission activity or hit rates but only as part of a search engine activity. There is never any suggestion of displaying such activity rates in association with displayed bookmarked documents at a receiving Web station.

The Pitkow publication fails to make up for these deficiencies in the basic Ryan reference. All Pitkow appears to discuss in Section (0136) cited by Examiner is the vague and general concept that bookmarked Web documents at a receiving Web station may be categorized. Again, this is quite remote from, and not suggestive of displaying such activity rates in association with a list of displayed bookmarked documents at a receiving Web station.

With respect to the dependent claims, the Examiner points out sections in Ryan disclosing a variety of techniques for tracking the transmission rates, e.g. hit rates of Web sites. However, Applicants have admitted hereinabove that various techniques exist for determining the communication activity rates for Web sites. All Ryan teaches is that such activity rated Web sites may be

AUS920010344US1

13

PATENT
09/899,454

integrated into search engine activities. In a search engine such as that described in Ryan, a Web browser at a receiving display station calls upon a search engine remote from the receiving display station to carry out, for example, a word search on the Web. In deciding which paths to take in the Web search, the search engine conventionally uses processes which involve transmission rates and activities at various potential Web sites or sources of Web documents being searched for. All Ryan discloses is the use of such transmission rates in such search algorithms. It is submitted that this process is completely different from Applicants' current invention involving displaying such activity rates in association with a list of displayed bookmarked documents at a receiving Web station.

The rejection of remaining dependent claims 7, 19, and 31 also under 35 USC 103(a) over the above combination of Ryan and Pitkow further in view of Burke (US6,032,162) is also respectfully traversed. These dependent claims also cover displaying the Web document source activity rates in association with displayed bookmarked Web documents at a receiving Web station, and in addition the high and low source hit rate indications for the set of bookmarked documents are indicated by different colors.

These dependent claims are submitted to be unobvious over the basic combination of Ryan in view of Pitkow for the same reasons set forth hereinabove for the basic claims. At best Burke discloses indicating the displayed bookmarks themselves through different colors to indicate different categories of bookmarks. Since the three references either singly or in combination fail to suggest displaying the Web document source activity rates in association with a list of displayed bookmarked Web documents at a receiving Web station, it is not seen what suggestion a reference on

AUS920010344US1

PATENT
09/899,454

classifying displayed bookmarked Web documents based on color have for indicating high and low Web source hit rates for a set of bookmarked documents by different colors for the displayed hit rates.

Examiners' Supplementary Argument during the Interview.

The Examiners noted that they were aware of Web pages which are displayed at receiving station with an indication on the Web page of the transmission activity, e.g. hit rates of the Web page or its Web site source. While such prior art is not as yet part of this record, Applicants have amended the claims to set forth that such activity or hit rates are displayed for each of a displayed list of bookmarked Web documents. This clearly distinguishes the claims herein from this proposed prior art.

In view of the foregoing, it is submitted that claims 1-36 are in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

J. B. Kraft 10/04/04
J. B. Kraft
Attorney for Applicants
Registration No. 19,226
(512) 473-2303

PLEASE MAIL ALL CORRESPONDENCE TO:

Diana Roberts Gerhardt
IPLaw Dept. - IMAD 4054
IBM Corporation
11400 Burnet Road
Austin, Texas 78758

AUS920010344US1

15

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ BLACK BORDERS
- ☐ IMAGE CUT OFF AT TOP, BOTTOM OR SIDES
- ☐ FADED TEXT OR DRAWING
- ☐ BLURRED OR ILLEGIBLE TEXT OR DRAWING
- ☐ SKEWED/SLANTED IMAGES
- ☐ COLOR OR BLACK AND WHITE PHOTOGRAPHS
- ☐ GRAY SCALE DOCUMENTS
- ☒ LINES OR MARKS ON ORIGINAL DOCUMENT
- ☐ REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY
- ☐ OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.